

Remarks/Arguments:

Claims 1-52 are pending.

Claims 1-21, 23-24, 26-44 and 46-52 are rejected.

Claims 22, 25 and 45 are indicated to be allowable if properly rewritten in independent form.

By this Amendment, claims 1-2, 4-9, 12, 14-16, 20, 23, 25-26, 28, 31-36, 39-44, 46 and 48-50 are amended. No new matter is presented by the claim amendments. Support for the claim amendments can be found throughout the original specification and, for example, in the original specification at page 13, first full paragraph and FIG. 1.

Allowable Subject Matter

In the Office Action, at item 5, claims 22, 25 and 45 are each objected to as being dependent on a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 22, 25 and 45 have not been rewritten in independent form, because it is submitted that the respective independent claims are allowable.

Rejection of Claims 1-21, 23-24, 26-35 and 39-44 under 35 U.S.C. §103(a)

In the Office Action, at item 3, claims 1-21, 23-24, 26-35 and 39-44 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kasriel et al. (U.S. Patent Publication No. 2006/0036400, hereafter referred to as Kasriel) in view of Spaid (U.S. Patent Publication No. 2004/0139192). Although claim 36 is alleged to be rejected in the Office Action Summary, claim 36 is not addressed in the Office Action except with respect to its dependent claims 37 and 38 under this rejection. It is believed that the Examiner intended to reject claims 36-38 over Kasriel in view of Spaid. Accordingly, Applicants will argue the patentability of claims 36-38 over these references.

Reconsideration is respectfully requested.

Claim 1

Claim 1 is directed to a method of determining quality rankings of user traffic directed from at least one traffic producer Web site to a plurality of traffic consumer Web sites, and recites:

... directing, using a respective link, user traffic data received by the traffic quality intermediary through the traffic quality intermediary from the at least one traffic producer Web site to one or more of the plurality of traffic consumer Web sites, the user

traffic data being associated with the user traffic directed from the at least one traffic producer ...

determining, at the traffic quality intermediary, a quality ranking of the user traffic of each of the traffic consumers based upon the user traffic data received by the traffic quality intermediary and the unique identifier of the respective traffic consumer.

That is, the user traffic data is directed through the traffic quality intermediary to one or more of the plurality of traffic consumer Web sites and quality rankings of the user traffic are determined at the traffic quality intermediary for each of the traffic consumers based on the user traffic data received and the unique identifier of the respective traffic consumer. By locating the traffic quality intermediary between traffic producers and consumers and also determining quality ranking based on unique identifiers of respective traffic consumers, the quality ranking method can track results for each of a plurality of traffic consumers.

Kasriel Reference

Kasriel discloses a data collection system that collects statistics related to each web-page within a web site using a two stage memory utilization process. In addition to collecting path information related to traversal to and from each web-page, the system collects information regarding a particular session, such as a visitor's connection speed, the time required to download the web-page to the visitor's system, and the duration that the visitor has spent at the location. The data is initially collected in a memory structure and is available for immediate access by an interactive data-analysis system. (See Kasriel at paragraph [0012].) That is, Kasriel discloses the use of a data collection system, but is silent regarding "directing ... user traffic data received by a traffic quality intermediary through the traffic quality intermediary from the ... traffic producer Web site to one or more of the plurality of the traffic consumer Web sites," as required by claim 1. Moreover, Kasriel is directed to a web site performance analysis system for a single web site (i.e., see the Abstract of Kasriel which discloses "a method of providing a web-site performance analysis service ... that gathers data relative to visits to web-pages that are associated with **a web-site**," (emphasis added)). Thus, Kasriel does not contemplate the establishment of a traffic quality intermediary between a traffic producer and a plurality of traffic consumers. Furthermore, Kasriel does not disclose or suggest the use of unique identifiers for respective traffic consumers. That is, Kasriel has no

need for such unique identifiers because Kasriel merely contemplates analysis of a single traffic consumer Web site.

Spaid Reference

The addition of Spaid does not overcome the deficiencies of Kasriel. This is because, Spaid does not disclose or suggest "directing ... user traffic data received by a traffic quality intermediary through the traffic quality intermediary from the ... traffic producer Web site to one or more of the plurality of the traffic consumer Web sites," as required by claim 1. Instead, Spaid discloses a document server 130 which can provide server pages 150 and one or more document browser clients 110. Spaid further discloses the quality measurement process 300 which can statistically analyze logs to establish a quality measurement for any particular visitor of the web site 140. (See Spaid at paragraph [0024].) The quality measurement process 300 is shown in FIG. 1 of Spaid to not be intermediary to the document server 130 and the browser client 110. Moreover, Spaid only discusses a single web site 140 and discloses, for example, that "the Quality Measurement Process 300 can statically analyze the log 160 to establish a quality score for any one particular visit by a viewer of the Web site 140 as recorded in the log 160." (See Spaid at paragraph [0024].) Thus, Spaid contemplates quality scores for visitors of a single website, but does not contemplate quality scores for a plurality of web sites themselves.

In the Office Action, at page 4, the Examiner contends that Spaid discloses at paragraph [0022] and FIG. 1, "the identity of the network source ... which referred the particular one of the clients to the web site 140. The Examiner appears to contend that if such a network source included the functionality of the quality measurement process 300 that it would correspond to the traffic quality intermediary recited in claim 1. Spaid, however, does not contemplate the use of a plurality of traffic consumer Web sites and, thus, does not disclose or suggest the use of a unique identifier for each respective traffic consumer.

Accordingly, claims 1 is submitted to patentably distinguish over Kasriel in view of Spaid for at least the above-mentioned reasons.

Claims 31-36 and 39-44

Claims 31-36 and 39-44, which include similar but not identical features to those of claim 1, are submitted to patentably distinguish over Kasriel in view of Spaid for at least similar reasons to those of claim 1.

Claims 2-21, 23-24, 26-30 and 37-38

Claims 2-21, 23-24 26-30 and 37-38, which include all of the limitations of claim 1 or claim 36, are submitted to patentably distinguish over Kasriel in view of Spaid for at least the same reasons as claim 1 or claim 36.

Rejection of Claims 46-52 under 35 U.S.C. §103(a)

In the Office Action, at item 4, claims 46-52 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kasriel in view of Spaid in further view of Glommen et al. (U.S. Patent Publication No. 2004/0260807, hereafter referred to as Glommen).

Reconsider is respectfully requested.

Claims 46-52, which include all of the limitations of claim 31, are submitted to patentably distinguish over Kasriel in view of Spaid for at least the same reasons as claim 31.

Glommen Reference

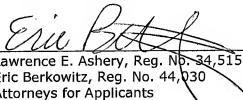
The addition of Glommen does not overcome the deficiencies of Kasriel and Spaid. This is because, Glommen does not disclose or suggest, for example, "determining ... a quality ranking of the user traffic of each of the traffic consumers based upon the user traffic data and the unique identifier" and "directing ... user traffic through the traffic quality intermediary from the ... traffic producer Web site to one or more of the plurality of the traffic consumer Web sites," as required by claim 31. Instead, Glommen discloses a traffic analyzer server 106 and is concerned with an Internet based analysis tool to follow the flow of traffic through a web site. For every web page requested by the web site visitor, the visitors web browser records data related to the path taken through the web site for collection and further study. (See Glommen at paragraph [0046].) Glommen, like Kasriel and Spaid, does not contemplate the use of a unique identifier for each respective traffic consumer because Glommen is not concerned with user traffic data for a plurality of traffic consumer web sites.

Accordingly, claims 46-52, which includes all of the limitations of claim 31, are submitted to patentably distinguish over Kasriel in view of Spaid, in further view of Glommen for at least the above-mentioned reasons.

Conclusion

In view of the claim amendments and remarks, Applicants submit the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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